

***In the Senate of the United States,***

*July 22, 1997.*

*Resolved*, That the bill from the House of Representatives (H.R. 2016) entitled “An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.”, do pass with the following

**AMENDMENTS:**

1 **(1)**Page 2, line 15, strike out **【\$721,027,000】** and insert:

2 *\$652,046,000*

3 **(2)**Page 2, line 17, strike out **【\$71,577,000】** and insert:

4 *\$77,646,000*

5 **(3)**Page 3, line 8, strike out **【\$685,306,000】** and insert:

6 *\$605,756,000*

7 **(4)**Page 3, line 10, strike out **【\$46,659,000】** and insert:

8 *\$46,489,000*

1 **(5)**Page 3, line 22, strike out **【\$45,880,000】** and insert:

2 *\$48,880,000*

3 **(6)**Page 4, line 11, strike out **【\$613,333,000】** and insert:

4 *\$690,889,000*

5 **(7)**Page 4, line 20, strike out **【\$34,350,000】** and insert:

6 *\$52,450,000*

7 **(8)**Page 5, line 7, strike out **【\$45,098,000】** and insert:

8 *\$234,614,000*

9 **(9)**Page 5, line 15, strike out **【\$137,275,000】** and insert:

10 *\$185,115,000*

11 **(10)**Page 5, line 22, strike out **【\$77,731,000】** and insert:

12 *\$96,079,000*

13 **(11)**Page 6, line 7, strike out **【\$40,561,000】** and insert:

14 *\$21,111,000*

15 **(12)**Page 6, line 14, strike out **【\$27,143,000】** and insert:

16 *\$31,830,000*

17 **(13)**Page 7, line 1, strike out **【\$166,300,000】** and insert:

18 *\$152,600,000*

19 **(14)**Page 7, line 10, strike out **【\$202,131,000】** and in-

20 sert: *\$167,100,000*

1 **(15)**Page 7, line 12, strike out **【\$1,148,937,000】** and in-  
 2 sert: *\$1,149,937,000*

3 **(16)**Page 7, line 12, strike out **【\$1,351,068,000】** and in-  
 4 sert: *\$1,317,037,000*

5 **(17)**Page 7, line 20, strike out **【\$409,178,000】** and in-  
 6 sert: *\$362,619,000*

7 **(18)**Page 7, line 23, strike out **【\$1,385,682,000】** and in-  
 8 sert: *\$1,339,123,000*

9 **(19)**Page 8, line 8, strike out **【\$341,409,000】** and insert:  
 10 *\$296,633,000*

11 **(20)**Page 8, line 10, strike out **【\$1,171,643,000】** and in-  
 12 sert: *\$1,126,867,000*

13 **(21)**Page 16, strike out lines 15 through 20

14 **(22)**Page 16, strike out all after line 20, over to and in-  
 15 cluding line 6 on page 17

16 **(23)**Page 17, strike out lines 7 through 19

17 **(24)**Page 18, after line 4 insert:

18 *SEC. 125. (a) In addition to any reductions required*  
 19 *by this Act, the following funds are hereby reduced from*  
 20 *the following accounts in this Act in the specified*  
 21 *amounts—*

1           *“Military Construction, Army”, \$2,000,000;*  
 2           *“Military Construction, Navy”, \$3,000,000;*  
 3           *“Military Construction, Air Force”, \$4,000,000;*  
 4           *“Military Construction, Defense-wide”,*  
 5           *\$5,000,000;*  
 6           *“NATO Security Investment Program”,*  
 7           *\$1,000,000;*  
 8           *“Base Realignment and Closure Account, Part*  
 9           *III”, \$8,000,000;*  
 10           *“Base Realignment and Closure Account, Part*  
 11           *IV”, \$8,000,000.*

12           *(b) The reductions taken pursuant to subsection (a)*  
 13           *shall be applied on a pro-rata basis by project and activity.*

14   **(25)**Page 18, after line 4 insert:

15           *SEC. 126. Notwithstanding any other provision of law,*  
 16           *from the funds appropriated in this Act for Military Con-*  
 17           *struction, Army, the Secretary of the Army is directed to*  
 18           *complete, using an Unspecified Minor Construction project,*  
 19           *the Special Forces (Diver) Training Facility at Key West*  
 20           *Naval Air Station, Florida, as authorized in the Military*  
 21           *Construction Authorization Act for Fiscal Years 1990 and*  
 22           *1991 (Public Law 101–189).*

23   **(26)**Page 18, after line 4 insert:

24           *SEC. 127. (a) LEASE OF PROPERTY AUTHORIZED.—*  
 25           *(1) Notwithstanding any other provision of law, the Sec-*

1   retary of the Navy (hereinafter referred to as the “Sec-  
2   retary”) may lease, without monetary consideration, to the  
3   city and county of Honolulu (hereinafter referred to as the  
4   “city”) a parcel of land consisting of approximately 300  
5   acres on Waipio Peninsula, Honolulu, Hawaii (hereinafter  
6   referred to as the “parcel”).

7       (b) *RELATED EASEMENT.*—The Secretary may also  
8   grant, without monetary consideration, an easement on,  
9   over, under and across that certain real property known  
10   as Waipio Point Access Road for access to and operation  
11   of the parcel.

12       (c) *TERM.*—The term of the lease and easement author-  
13   ized under this section shall be fifty (50) years.

14       (d) *CONDITION OF USE.*—The lease and easement au-  
15   thorized under subsections (a) and (b) shall be subject to  
16   the following conditions:

17           (1) *The city shall use the parcel for development*  
18       *and operation of a public soccer park and related rec-*  
19       *reational facilities, and for other civic and public*  
20       *purposes as may be approved by the Secretary.*

21           (2) *Facilities developed on the parcel shall be for*  
22       *public use and benefit; however, usage fees may be*  
23       *charged to defray facility operating and maintenance*  
24       *costs.*

1           (3) *The city shall comply with all explosive safe-*  
2           *ty criteria affecting the city's use of the lease and*  
3           *easement areas, as established by the Secretary in*  
4           *connection with the explosive safety areas supporting*  
5           *the ordinance handling wharves located at West Loch*  
6           *Branch, Naval Magazine, Lualualei, Hawaii.*

7           (4) *The city shall, at its own cost and to the sat-*  
8           *isfaction of the Secretary, make any and all improve-*  
9           *ments to Waipio Point Access Road which the city de-*  
10          *termines are necessary to provide onstreet parking*  
11          *along said road, and adequate access to the parcel, in-*  
12          *cluding, but not limited to, any necessary appur-*  
13          *tenant utility and drainage improvements. During*  
14          *the term of said easement, the cost of maintenance, re-*  
15          *pair and replacement of said road and improvements*  
16          *shall be borne by the city.*

17          (5) *The city shall install a non-potable irriga-*  
18          *tion water delivery system to service the parcel, and*  
19          *in doing so, the city shall size transmission lines ca-*  
20          *pable of delivering approximately 2.5 million addi-*  
21          *tional gallons of irrigation water per day to agricul-*  
22          *tural lands on Waipio Peninsula under the control of*  
23          *the Secretary.*

24          (e) *TERMINATION.—If the Secretary determines at any*  
25          *time that the parcel is not being used for a purpose specified*

1 in subsection (d)(1), the lease and easement authorized  
 2 under subsections (a) and (b) may be terminated, and all  
 3 right, title, and interest in and to such real property, in-  
 4 cluding any improvements thereon, shall revert to the Unit-  
 5 ed States, and the United States shall have the right of im-  
 6 mediate entry thereon.

7 (f) *EFFECT OF EXPIRATION OF LEASE.*—Unless other-  
 8 wise specifically provided for in this section, at the end of  
 9 the lease and easement term, the city shall either convey,  
 10 without reimbursement, to the United States, all right, title,  
 11 and interest of the city in and to the improvements subject  
 12 to said lease and easement, or restore, to the extent prac-  
 13 ticable, the lease and easement areas to the satisfaction of  
 14 the Secretary.

15 (g) *DESCRIPTION OF PROPERTY.*—The exact acreage  
 16 and legal description of the property subject to this section  
 17 shall be determined by a survey satisfactory to the Sec-  
 18 retary. The cost of such survey shall be borne by the city.

19 (h) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-  
 20 retary may require such additional terms and conditions  
 21 in connection with the lease and easement to be granted  
 22 under this section as the Secretary considers appropriate  
 23 to protect the interests of the United States.

24 (27)Page 18, after line 4 insert:

1        *SEC. 128. (a) Not later than 60 days before issuing*  
2 *any solicitation for a contract with the private sector for*  
3 *military family housing or military unaccompanied hous-*  
4 *ing, the Secretary of the military department concerned*  
5 *shall submit to the congressional defense committees the no-*  
6 *tice described in subsection (b).*

7        *(b)(1) A notice referred to in subsection (a) is a notice*  
8 *of any guarantee (including the making of mortgage or*  
9 *rental payments) proposed to be made by the Secretary to*  
10 *the private party under the contract involved in the event*  
11 *of—*

12            *(A) the closure or realignment of the installation*  
13 *for which housing is provided under the contract;*

14            *(B) a reduction in force of units stationed at*  
15 *such installation; or*

16            *(C) the extended deployment overseas of units*  
17 *stationed at such installation.*

18        *(2) Each notice under this subsection shall specify the*  
19 *nature of the guarantee involved and assess the extent and*  
20 *likelihood, if any, of the liability of the Federal Government*  
21 *with respect to the guarantee.*

22        *(c) In this section, the term “congressional defense*  
23 *committees” means the following:*



1           (1) *The Committee on Armed Services and the*  
 2           *Defense Subcommittee, Committee on Appropriations*  
 3           *of the Senate.*

4           (2) *The Committee on National Security and*  
 5           *The National Security Subcommittee, Committee on*  
 6           *Appropriations of the House of Representatives.*

7   **(28)**Page 18, after line 4 insert:

8           *SEC. 129. Section 303(e) of the 1997 Emergency Sup-*  
 9           *plemental Appropriations Act for Recovery from Natural*  
 10          *Disasters, and for Overseas Peacekeeping Efforts, Including*  
 11          *Those in Bosnia (Public Law 105–18; 111 Stat. 168) is*  
 12          *amended to read as follows:*

13               “(e) *AVAILABILITY OF FUNDS.—The Secretary*  
 14               *may use funds available in the Defense Working Cap-*  
 15               *ital Fund for the payment of the costs of utilities,*  
 16               *maintenance and repair, and improvements entered*  
 17               *into under the lease under this section.”.*

Attest:

*Secretary.*

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 2016**

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## **AMENDMENTS**

HR 2016 EAS—2

HR 2016 EAS—3

HR 2016 EAS—4

HR 2016 EAS—5